

COASTAL CONSERVANCY

Staff Recommendation

March 26, 2015

Hamilton Creek Fish Passage Improvement Project

Project No. 15-001-01

Project Manager: Peter Jarausch

RECOMMENDED ACTION: Authorization to disburse up to \$326,000 to the Smith River Alliance to remove a fish passage barrier located at the intersection of Picnic Road with Hamilton Creek in Del Norte County, and to purchase a modular bridge that can be installed as needed to maintain vehicular access to the area.

LOCATION: Mill Creek Watershed, Del Norte County

PROGRAM CATEGORY: Resource Enhancement

EXHIBITS

Exhibit 1: [Project Location](#)

Exhibit 2: [Project Photos](#)

Exhibit 3: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251 et seq of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up to three hundred twenty-six thousand dollars (\$326,000) to the Smith River Alliance to remove a fish passage barrier located at the intersection of Picnic Road with Hamilton Creek in Del Norte County, and to purchase a modular bridge that can be installed as needed to maintain vehicular access to the area.

Prior to the disbursement of funds, the Smith River Alliance shall submit for review and approval by the Executive Officer of the Conservancy:

1. A work program, including a schedule and budget
2. The names and qualifications of all contractors.
3. Evidence that all permits and approvals have been obtained.

Staff further recommends that the Conservancy adopt the following findings:

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“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 6 of Division 21 of the Public Resources Code, regarding Coastal Resource Enhancement Projects.
 2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
 3. The Smith River Alliance is a nonprofit organization existing under section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”
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PROJECT SUMMARY:

Staff recommends the Conservancy authorize disbursement of up to three hundred twenty-six thousand dollars (\$326,000) to the Smith River Alliance (“SRA”) to remove a fish passage barrier located at the intersection of Picnic Road with Hamilton Creek in Del Norte County (Exhibit 1, Project Location), and to purchase a modular bridge that can be installed as needed over the creek to provide periodic access for watershed management and restoration activities. The project will occur on property that was acquired in part with Conservancy funds in 2002 as part of the 25,000 acre Mill Creek acquisition, and is owned and managed by the California Department of Parks and Recreation (CDPR). The culvert barrier is one of the last significant manmade barriers to coho salmon, a federally and state listed threatened species, in the 23,594 acre Mill Creek watershed. Removal will open up over one kilometer of excellent spawning and rearing habitats which, according to a California Department of Fish and Wildlife 2014 study, is expected to be quickly colonized by coho salmon that already inhabit the creek immediately downstream of the culvert. This will have a significant impact towards increasing coho salmon production in the area.

The proposed project will remove an existing 96”-wide partially failed culvert from Hamilton Creek and provide vehicular passage along Picnic Road via a modular bridge that would be installed as-needed (see Exhibit 2 – project photos). Removal of the culvert, restoration of the stream channel, and installation of the bridge foundation will take place during the summer of 2015 once permits have been obtained. CDPR has agreed to contribute a significant portion of the labor needed for the project at their cost. Installation of the bridge will only take place when access to the lower West Branch Mill Creek is needed for future restoration projects. A bridge has the added advantage of allowing the stream channel to be fully functional and not compromised by the installation of a new culvert.

Use of a modular Bailey Bridge requires the construction of two small footings for the bridge, a significantly smaller footprint than either replacing the culvert or constructing a permanent bridge over Hamilton Creek. When the bridge is not in use it will be stored in a covered building at the former mill site on the Mill Creek property, which will extend the life of the bridge, as it will not be unnecessarily exposed to the elements. CDPR currently owns two bailey bridges that are installed as low water crossings in southern Humboldt County each summer. Those bridges have been in use for over 20 years with only minimal need for repair.

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Smith River Alliance is a 510(c)(3) organization with the mission of providing for the long-term protection, restoration, and stewardship of natural resources in the Smith River watershed. SRA will work in cooperation with the California Department of Parks and Recreation (CDPR) to accomplish the project. SRA has received numerous restoration grants (see project history section) and has been actively improving the Mill Creek watershed for over 10 years. They have taken the lead on the installation of instream structures to benefit coho and other salmonids as well as assisted CDPR with extensive road removal and restoration work.

Site Description: Hamilton Creek is a tributary to the lower West Branch Mill Creek which in turn flows into the Smith River in Del Norte County. The Mill Creek watershed is part of the 25,000 acre Mill Creek property, acquired by CDPR in 2002 in part with Coastal Conservancy funds. The majority of the property is covered by early-successional mixed conifer and broadleaf forest as a result of timber harvesting which began in the 1850's. However, approximately 200 acres of old growth redwoods in five distinct stands remain on the property. To the north and west of the property lie Jedediah Smith Redwoods State Park and Del Norte Coast Redwoods State Park, and to the east is the Smith River National Recreation Area of the Six Rivers National Forest. A large expanse of forest owned by Green Diamond Resource Company, a private industrial timber company (formerly Stimson Timber), borders Mill Creek to the south.

A significant aspect of the site's former logging operations is a network of nearly 200 miles of logging roads with more than 1000 culverts, inboard ditches and cross drains. This 96" culvert is a complete barrier to fish passage and prevents coho from accessing approximately 1 kilometer of habitat. Anadromous fish have been documented by CDFW staff immediately downstream of the culvert making it likely that they will quickly recolonize upper parts of the stream once the barrier has been removed. Preliminary plant surveys have already been conducted at the project site and no plants of concern have been found.

Mill Creek provides spawning and rearing habitat for five species of salmonids and also provides the strongest run of coho salmon in the Smith River watershed. Based on the April 2014 *Distribution and Abundance Report* (Smith River Alliance and The California Department of Fish and Wildlife) it has the highest densities of spawning adult coho salmon and forms the core sub-population for the Smith River. The study also found that nearby tributaries of similar size to Hamilton Creek are being actively used by coho salmon and therefore it is highly likely that coho will immediately re-colonize the upper portion of Hamilton Creek. The area is therefore critical for the long term survival of coho salmon and removal of the barrier is likely to have a positive impact on the overall population.

Project History: The proposed project draws on a considerable history of Conservancy involvement in planning and funding salmonid habitat and watershed restoration goals at Mill Creek. In 2002 the Conservancy contributed \$5,000,000 towards Save-the-Redwoods League's \$60,000,000 acquisition of the 25,000 acre property, and authorized \$100,000 for development of the *Mill Creek Property Interim Management Recommendations*. The property was subsequently transferred to CDPR, and is managed as the Mill Creek Unit of the Redwood National and State Parks. In 2006 the Conservancy granted \$1,000,000 to SRA for restoration work on the property. Those funds were used to install large wood in streams for improved fish habitat, improve stream crossings to allow for fish passage, replace damaged culverts with ones sufficiently sized to withstand 100-year storm events, and to support a rainy season Storm Patrol which prevented drainage ditches and culverts from being blocked by debris and failing.

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At the time of the acquisition, the Mill Creek Advisory Committee, with representatives from the Save-the-Redwood League, the Conservancy, Wildlife Conservation Board, California Department of Fish and Wildlife, and the County of Del Norte was formed to help guide the restoration efforts and assist with identifying and securing funding from a variety of sources. Significant financial support has already been secured and expended for other restoration activities on the property from the following sources:

- California Department of Fish and Wildlife - \$1.25 million to decommission high-priority failing logging roads and \$200,000 for salmonid monitoring;
- Wildlife Conservation Board - \$6.75 million for erosion control, road decommissioning, forest restoration, and instream habitat restoration;
- California Department of Parks and Recreation - \$1 million for a full road inventory and erosion-risk prioritization, \$450,000 in contributions to WCB projects to augment road decommissioning, \$25,000 for forest restoration monitoring, and \$70,000 for culvert replacement projects;
- North Coast Regional Water Quality Control Board - \$830,000 for road decommissioning, including a heavy equipment operator training component;
- Save-the-Redwoods-League - \$350,000 for forest management and \$70,000 for road decommissioning;
- California Conservation Corps - \$25,000 for forest management and fuels reduction; and
- National Park Service - \$2.35 million for road decommissioning, winter storm erosion control, forest restoration, instream restoration, and education and outreach.

The Hamilton Creek Fish Passage Project was identified by staff at the California Department of Fish and Wildlife during fish surveys conducted from 2011-2013. It is listed as a restoration priority in *Reconnaissance of salmonid redd abundance and juvenile salmonid spatial structure in the Smith River with emphasis on Coho Salmon (Oncorhynchus kisutch) Final report to the California Department of Fish and Wildlife Fisheries Restoration Grants Program Grantee agreement: P1010504 Prepared by: Justin M. Garwood and Monty D. Larson.*

PROJECT FINANCING

Coastal Conservancy	\$326,000
Project Total	\$326,000

The anticipated source of the Conservancy's funds will be the fiscal year 2014/15 appropriation from Proposition 50. Proposition 50 authorizes the Conservancy's use of these funds for the purpose of protecting coastal watersheds through projects undertaken pursuant to the Conservancy's enabling legislation (Division 21 of the Public Resources Code) to acquire, restore or protect water and land resources. (Water Code §79570). As required by Proposition 50, the proposed project is consistent with local and regional watershed plans developed by the North Coast Regional Water Quality Control Board (see the "Consistency with the Regional Water Quality Control Board Basin Plan" section). The California Department of Parks and Recreation will be contributing \$30,000 in labor towards the project.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed authorization is undertaken pursuant to Chapter 6 of Division 21 of the Public Resources Code, as follows:

Pursuant to §31251, the Conservancy may award grants to local public agencies and nonprofit organizations for the purpose of enhancement of coastal resources which, because of human-induced events, or incompatible land uses, have suffered loss of natural and scenic values. Consistent with this section, the proposed authorization provides funds to SRA to enhance coastal fishery resources disturbed by incompatible land uses, such as inappropriate culvert installation resulting from historic timber operations.

Pursuant to §31251.2(a), "In order to enhance the natural or scenic character of coastal resources within the coastal zone, the Conservancy may undertake a project or award a grant . . . to enhance a watershed resource that is partly outside of the coastal zone. . . ." Salmon depend on unimpeded access to high quality habitat both within and outside of the coastal zone in order to survive. If salmon and other highly prized aquatic resources are to be maintained and restored to historic levels, projects to improve salmon habitat must be undertaken both within and outside the coastal zone. Section 31251.2 also requires the review and approval of the California Department of Fish and Wildlife. A support letter for this authorization from the Department is included in Exhibit 3.

Pursuant to §31253, "[t]he Conservancy may provide up to the total of the cost of any coastal resource enhancement project" Consistent with this section, staff has proposed the funding amount in light of the fiscal resources of the applicant, the urgency of the matter, and the application of other factors relevant to project eligibility, as detailed in the "Consistency with Conservancy's Project Selection Criteria & Guidelines" section, below.

CONSISTENCY WITH CONSERVANCY'S 2013 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 5, Objective D** of the Conservancy's 2013-2018 Strategic Plan, the proposed project implements a project to remove a fish passage barrier, thus enhancing biodiversity and a coastal watershed.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.

3. Promotion and implementation of state plans and policies:

This project helps implement the *2004 California Department of Fish and Wildlife Recovery Strategy for California Coho Salmon*. Specifically it address goal SR-HU-02 which recommends treating barriers to passage. It also furthers SR-MC-01 by treating a potential source of sediment. If the existing culvert were to fail completely a large amount of sediment would be released into the stream.

The project furthers two goals of the *2014 NOAA Fisheries Final Recovery Plan for the Southern Oregon/Northern California Coast Evolutionarily Significant Unit of Coho Salmon*. Action ID SONCC-SmiR.5.1.14 targets fish passage and identifies the West Branch of Mill Creek as needing barriers removed. Hamilton Creek is a tributary to the West Branch of Mill Creek. Action ID SONCC-SmiR.8.1.15 addresses the stream/road hydrologic connection. Removal of the culvert can help prevent future sediment releases into Hamilton Creek.

The project also implements the *California Water Action Plan's* goal number 4 to protect and restore important ecosystems. It does so by eliminating a barrier to fish migration to provide anadromous fish species access to their historic spawning habitat.

4. **Support of the public:** The proposed project is supported by See letters attached as Exhibit 3.
5. **Location:** This project is in the Mill Creek watershed which provides critical spawning habitat for anadromous fish. Mill Creek is a tributary to the Smith River, the last major undammed river in California.
6. **Need:** Coho are listed as threatened under the Federal Endangered Species Act. The project will help promote the recovery of Coho in the Smith River watershed by providing access to 1 kilometer of high quality spawning habitat.
7. **Greater-than-local interest:** The State's coastal fisheries, and coastal communities that depend upon those fisheries, are imperative to the health and well being of the State. Sportfishing is of ever-increasing importance to the State economy, and substantial investments have been made in creative marketing for commercial fisheries, but absent abundant fisheries, a ready source of a high quality sportfish or seafood product will, for practical purposes, disappear from our markets. Recovering coastal salmon populations to sustainable levels is of national interest. Reopening historic habitat while improving public infrastructure where advisable is an excellent way to achieve this goal.
8. **Sea level rise vulnerability:** Located outside the coastal zone, the proposed project suffers no vulnerability from sea level rise.

Additional Criteria

9. **Urgency:** Coho in the Smith River are listed as threatened under the Federal Endangered Species Act. Additional spawning habitat will help increase these numbers.
10. **Readiness:** SRA and CDPR are prepared to undertake the project during the summer of 2015.
11. **Cooperation:** SRA and the CDPR will cooperate on this project. CDPR will provide, at their own cost, staff and heavy equipment to remove the culvert and construct the bridge footings.

12. **Vulnerability from climate change impacts other than sea level rise:** This project helps buffer salmonids that use Hamilton Creek from increases in water temperature. The area is on land now owned by CDPH and will no longer be subject to logging practices which might remove vegetation from the stream corridor.
13. **Minimization of greenhouse gas emissions:** The project is designed to minimize greenhouse gas emissions by limiting the construction footprint. The modular bridge only requires small footings and could be used elsewhere in the watershed if needed. This reduces the amount of materials as an entirely new permanent bridge does not need to be constructed.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed authorization will enable the grantee to undertake a project that is of direct benefit to aquatic resources inside and outside of the coastal zone. Barriers to fish passage affect coastal resources regardless of the barrier location within the watershed. Anadromous fish populations that spend part of their life history within the coastal zone reside for extended periods outside the coastal zone, and therefore depend upon free passage within a watershed throughout their life history.

The authorization is consistent with the relevant portions of the Del Norte County Local Coastal Program (LCP), which was certified by the Coastal Commission on October 12, 1983. It is due to the diversity in life history patterns of anadromous fish species that the Del Norte LCP acknowledges the importance of coastal streams and riparian vegetation systems as Sensitive Coastal Habitat, necessary to both the aquatic life and the quality of water courses. Under the LCP, Chapter VI, the following provisions are made:

“The County shall maintain all existing species of fish, wildlife, and vegetation for their economic, intrinsic and ecological values as well as providing adequate protection of rare and endangered species.” (App., p. 55)

“The County should establish riparian corridors along local streams, creeks, and sloughs to maintain their aesthetic appeal, wildlife habitat, control of erosion. . . .” (App., p. 56)

“The County encourages programs (e.g., fish hatcheries, habitat rehabilitation) designed to improve the quality of coastal fisheries and other marine resources.” (App., p. 57)

“All surface and subsurface waters shall be maintained at the highest level of quality to insure the safety of public health and the biological productivity of coastal waters.” (App., p. 58)

This recommendation’s goal of improving anadromous fish habitat by removing barriers to fish passage, and providing access to historic habitat, thereby maintaining and enhancing the aquatic resources of the county, is consistent with the LCP.

CONSISTENCY WITH THE REGIONAL WATER QUALITY CONTROL BASIN PLAN

Proposition 50 also requires that “watershed protection activities” must be consistent with the applicable adopted local watershed management plan and the applicable regional water quality control plan adopted by the regional water quality control board. While there is no specific watershed management plan for the Smith River the *2011 Water Quality Control Plan for the North Coast Region* calls for the protection and enhancement of coldwater habitat as a “beneficial use.” Additional beneficial uses include the use of water for spawning, reproduction,

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and/or early development, as well as for the support of rare, threatened, or endangered species (pp 2-2.00 & 2-3.00). The proposed project will advance those goals and objectives by opening new cold water spawning habitat for a threatened species.

COMPLIANCE WITH CEQA:

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15333 Small Habitat Restoration Projects. Consistent with this exemption, the project is less than 5 acres in size, would not have a significant adverse impact to rare or threatened species, has no hazardous materials, and has no significant cumulative impacts.

Staff will file a Notice of Exemption upon approval.